

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

08-16176-JJ

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT

DEC 08 2009

THOMAS K. KAHN
CLERK

UNITED STATES OF AMERICA,

versus

IVAN DEJESUS CHAPA,
a.k.a. Taliban,

FILED IN CLERK'S OFFICE
Plaintiff-Appellee,
U.S.D.C. Atlanta

DEC 09 2009

JAMES N. HATTEN, CLERK
By: *[Signature]*

Defendant-Appellant.

On Appeal from the United States District Court for the
Northern District of Georgia

BEFORE: BIRCH, HULL, and ANDERSON, Circuit Judges.

BY THE COURT:

Appellant's motion for leave to file out of time his untimely response to the Government's motion to dismiss is GRANTED.

The Government's motion to dismiss this appeal pursuant to the valid and enforceable sentence appeal waiver in Appellant's plea agreement is GRANTED.

A True Copy - Attested
Clerk, U.S. Court of Appeals
Eleventh Circuit
By: *[Signature]*
Deputy Clerk
Atlanta, Georgia